

REMARKS

Claims 1-21, 24-27 and 37-43 are currently pending in the subject application and are presently under consideration. Claims 1, 24, and 37 have been amended as shown on pp. 2-7 of the Reply.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein. Specifically, the claims as amended are believed to be allowable over the reference cited in the Final Office Action and the Appeal Brief. In particular, independent claim 1 (and similarly claims 24 and 37), in part, recites *at least one optical fiber embedded in a bearing, the at least one optical fiber having first and second ends, the first end receiving a beam of light from a light source and transmitting the light to the second end, the second end being flush with a contacting surface of the bearing*. Dunphy, *et al.*, Thomas *et al.*, and Kersey *et al.* fail to disclose or suggest such novel aspects of the claimed invention.

In the Decision on Appeal, the Board of Appeals has conceded that the cited references fail to disclose or suggest *an end of an optical fiber being flush with a contacting surface of a bearing*. Furthermore, there lacks motivation within the cited references to place *an optical fiber flush* with a contacting surface of a bearing as claimed. As mentioned in the Reply to Final Office Action and the Appeal Brief, Thomas *et al.* merely discloses placing the sensor in close proximity to the maximum load point. No where does the cited reference disclose or suggest the sensor to be placed flush with a contacting surface of the bearing, as claimed. Dunphy, *et al.* and Kersey *et al.* fail to make-up for the aforementioned deficiencies of Thomas *et al.*

Therefore, in view of at least the above, the rejection of amended independent claims 1, 24, and 37 (and claims which depend there from) should be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.[ALBRP178US]

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,
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